

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KRISTY DUMONT; DANA DUMONT;
ERIN BUSK-SUTTON; REBECCA
BUSK-SUTTON; and JENNIFER
LUDOLPH,

Plaintiffs,

v.

NICK LYON, in his official capacity as
the Director of the Michigan department
of Health and Human Services; and
HERMAN MCCALL, in his official
capacity as the Executive Director of the
Michigan Children's Services Agency,

Defendants.

No. 2:17-cv-13080-PDB-EAS

Hon. Paul D. Borman

Mag. Elizabeth A. Stafford

**GROUP OF 53 MICHIGAN
STATE LEGISLATORS'
MOTION FOR LEAVE TO
FILE AMICUS BRIEF**

Proposed Amicus Curiae are a group of 53 Michigan State Legislators ("State Legislators") who either sponsored, voted in favor of, or now support 2015 P.A. 53 ("P.A. 53").¹

District courts frequently welcome amicus briefs from non-parties concerning legal issues that have potential ramifications beyond the parties directly involved or if the amicus has "unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide." *NGV Gaming, Ltd.*, 355 F. Supp. 2d 1061, 1067 (N.D. Cal. 2005) (quoting *Cobell v. Norton*, 246 F. Supp. 2d

¹ Amici include 52 current legislators and 1 former state legislator.

59, 62 (D.D.C. 2003)); *see also United States v. Alkaabi*, 223 F. Supp. 2d 583, 592 (D.N.J. 2002) (the role of an amicus curiae is as a “friend of the court” who can “assist in a case of general public interest, to supplement the efforts of counsel, and to draw the court’s attention to law that might otherwise escape consideration.”).

Applied here, State Legislators have a unique interest in this case and a unique perspective as those who passed or supported the law being challenged in this case. This perspective will be helpful to this Court in its resolution of the matter.

Pursuant to Local Rule 7.1(a), State Legislators sought the concurrence of counsel for all parties. Defendants Nick Lyon and Herman McCall have no objection to the filing of the proposed amicus brief attached as Exhibit A. Plaintiffs and Defendants-Intervenors St. Vincent Catholic Charities, Melissa and Chad Buck, and Shamber Flore take no position. Therefore, State Legislators respectfully submit this motion to the Court for its consideration and request that this Court grant leave to file the proposed amicus brief accompanying this motion.

Respectfully submitted this 30th day of January, 2018.

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**Pending admission*

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2018, I electronically filed the foregoing document with the Clerk of Court using the ECF system which will provide electronic copies to counsel of record.

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